

UNITED STATES DISTRICT COURT
DISTRICT OF NEBRASKA

WB MUSIC CORP., EASY ACTION
MUSIC, HORI PRODUCTIONS
AMERICA, INC., AF CIRCLE C FUND,
L.L.C. a/b/a ARLOVOL MUSIC,

Plaintiffs,

vs.

IMAGINATION INDUSTRIES, INC.,
CASEY ROWE,

Defendants.

Case No. 8:20-cv-00082-BCB-MDN

ANSWER

COMES NOW, the Defendants Imagination Industries, Inc. and Casey Rowe, and for their joint Answer to the Complaint filed herein do hereby state and aver as follows:

1. The Defendants admit the allegations contained in paragraph 1 of the Complaint
2. The Defendants admit the allegations contained in paragraph 2 of the Complaint.
3. The Defendants admit the allegation in paragraph 3 of the Complaint that the Plaintiff is alleging three causes of action for copy right infringement, but is without knowledge of the allegations as set forth in Schedule A and so generally denies the remaining allegations of paragraph 3 of the Complaint. .
4. The Defendants are without knowledge as to the ownership of the copyrights alleged in schedule A and so generally denies the allegations contained in paragraph 4 of the Complaint.
5. The Defendants admits the allegation contained in paragraph 5 of the Complaint that Imagination Industries, Inc. Is a corporation organized under the laws of the State of

Nebraska, but denies that the principal place of business is 2607 South 120th Street, Omaha, Nebraska 68124, and specifically alleges that the principal place of business is 7402 F Street, Omaha Nebraska as alleged in paragraph 6 of the Complaint.

6. The Defendants admit the allegations contained in paragraph 6 of the Complaint.
7. The Defendants admit the allegations contained in paragraph 7 of the Complaint.
8. The Defendants admit the allegations contained in paragraph 8 of the Complaint.
9. To the extent Defendants Imagination Industries, Inc. and Casey Rowe need to made statements about Hugh Abrahamson, the Defendants admit paragraph 9 of the Complaint.
10. The Defendants admit the allegation contained in paragraph 10 of the Complaint that Casey Rowe is the principal officer of Imagination Industries, Inc. And denies the remainder of the allegations contained therein.
11. The Defendant admit the allegations contained in paragraph 11 of the Complaint that Casey Rowe is still responsible for the ongoing operations of imagination Industries, Inc. But denies the remainder of the allegations contained in paragraph 11 of the Complaint.
12. The Defendants admit the allegations contained within paragraph 12 of the Complaint, to the extent is applies to Defendants Imagination Industries Inc. and Casey Rowe.
13. The Defendants specifically deny that at the present time they are receiving any financial benefit from any operation that is occurring at American Dream as alleged in paragraph 13 of the Complaint and that American Dream is presently a financial detriment to the Defendants.
14. The Defendants are without knowledge as to the allegations contained in paragraph 14 of the Complaint and so generally deny the same.
15. The Defendants are without knowledge as to the allegations contained in paragraph 15 of the Complaint and so generally deny the same.

16. The Defendants deny the allegations contained within paragraph 16 of the Complaint.

17. The Defendants deny the allegations contained within paragraph 17 of the Complaint.

18. The Defendants deny the allegations contained within paragraph 18 of the Complaint.

19. The Defendants deny intentionally presenting copyrighted material as alleged in paragraph 19 of the Complaint.

20. The Defendants are without knowledge as to the allegations contained within paragraph 20 of the Complaint and so generally deny the same.

21. The Defendants are without knowledge as to the allegations contained within paragraph 21 of the Complaint and so generally deny the same.

22. The Defendants are without knowledge as to the allegations contained within paragraph 22 of the Complaint and so generally deny the same.

23. The Defendants are without knowledge as to the allegations contained within paragraph 23 of the Complaint and so generally deny the same.

24. The Defendants admit the allegations contained within paragraph 24 of the Complaint that the names songs was played on the named dates, but the Defendants deny any intentional infringement of any copyright and deny making any threat of any kind to any person or entity to infringe in the future.

25. The Defendants are without knowledge as to the ownership of the copyrighted material and so denies the allegation in paragraph 25 that the Plaintiff is the owner of the material. The Defendants admit those allegations in paragraph 25 that its agents servants and employees had not obtained a license from the Plaintiffs or other owners to play the copyrighted material. The Defendants are without knowledge as to whether the performers were licensed to place the material and so generally deny the allegation that the performers were playing without a license. The Defendants affirmatively allege that Defendant Casey Rowe

inquired with Villains Dance, the performers on the dates October 12th and 13th, 2019 if they had a license to play all of the songs they intend to play, and had received an answer in the affirmative.

26. The Defendants specifically deny the allegations contained in paragraph 26 of the Complaint.

27. The Defendants are without knowledge as to any other unauthorized performances and so generally deny the allegations contained in paragraph 27 of the Complaint.

28. The Defendants are without knowledge as to the ownership of any copyright and so generally denies the allegations contained in paragraph 28 of the Complaint.

29. The Defendants are without knowledge as to the allegations contained in paragraph 29 of the Complaint and so generally denies the same.

WHEREFORE having fully Answered the Plaintiffs Complaint the Defendants Imagination Industries, Inc. and Casey Rowe pray that the Complaint be dismissed.

IMAGINATION INDUSTRIES,
Inc., Casey Rowe.
Defendants

By: s/Justin A. Quinn
Justin A. Quinn #23509
540 Douglas Building
209 South 19th Street
Omaha, NE 68102
Telephone: 402.346.2500
Facsimile: 402.346.2500
Attorney for Defendants

CERTIFICATE OF SERVICE

The undersigned was served by uploading a copy to the United States electronic Filing system with instructions to serve the same this 23rd day of October, 2020 upon the Plaintiffs through counsel:

Mark Novotny

s/Justin A. Quinn